

Senate File 2315

H-8502

1 Amend the amendment, H-8413, to Senate File 2315,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 7, after line 25 by inserting:  
5 <\_\_\_\_. Page 19, after line 34 by inserting:  
6 <Sec. \_\_\_\_\_. MENTAL HEALTH AND DISABILITY SERVICES  
7 REDESIGN TRANSITION FUND.  
8 1. A mental health and disability services redesign  
9 transition fund is created under the authority of  
10 the department of human services for the fiscal year  
11 beginning July 1, 2012, and ending June 30, 2013.  
12 Moneys credited to the fund shall be used as provided  
13 in appropriations made from the fund, to be enacted by  
14 the general assembly, for allocation by the department  
15 to counties for one-time assistance for continuation  
16 of current core county mental health and disability  
17 services to targeted populations that are not funded by  
18 the Medicaid program.  
19 2. The eligibility provisions for a county to  
20 receive moneys from the fund shall include but are not  
21 limited to all of the following:  
22 a. The application and application materials  
23 submitted are approved by the county board of  
24 supervisors.  
25 b. The county levy certified for the county's  
26 services fund under section 331.424A for the fiscal  
27 year is the maximum amount authorized by law.  
28 c. The county financial information provided  
29 with the application is independently verified. The  
30 financial information to be provided shall be specified  
31 by the department and may include actual and projected  
32 cash and accrued fund balances, detailed accounts  
33 receivable and payable information, budgeted revenues  
34 and expenditures, identification of the need for the  
35 amount requested, and costs for the county's services  
36 administration.  
37 d. The required county service information is  
38 provided with the application. The county service  
39 information to be provided shall be specified by the  
40 department and may include the following:  
41 (1) The type, amount, and scope of services  
42 provided by the county as compared with other counties.  
43 (2) The extent to which the county subsidizes the  
44 services directly provided or authorized by the county.  
45 (3) The extent to which the services funded by the  
46 county are included in the county's management plan  
47 approved under section 331.439.  
48 (4) The extent to which services are provided  
49 to persons other than adults with an intellectual  
50 disability or mental illness with income that is at or

1 below 150 percent of the federal poverty level.

2 e. The application contains a sustainability plan  
3 in accordance with the requirements specified by the  
4 department. The requirements shall include but are not  
5 limited to explanation as to how the moneys requested  
6 will be used during this transition year to provide  
7 services in a manner that will allow the county to  
8 remain within the funding available to the county under  
9 per capita funding provisions, applicable to the county  
10 as enacted by this Act, commencing with the fiscal year  
11 beginning July 1, 2013.

12 f. The application is submitted on or before the  
13 specified application date. The initial application  
14 date specified shall be on or after October 15, 2012.

15 g. Other items specified by rule. The department  
16 shall consult with the transition committee created by  
17 this division of this Act in recommending the adoption  
18 of rules by the mental health and disability services  
19 commission delineating the requirements for funding  
20 under this section.

21 3. The department may provide for distribution  
22 provisions in which the amount awarded is distributed  
23 in more than one payment based upon actual expenditures  
24 and submission of required information.

25 4. The mental health and disability services  
26 commission may adopt administrative rules under section  
27 17A.4, subsection 3, and section 17A.5, subsection  
28 2, paragraph "b", to implement the provisions of  
29 this section, and the rules shall become effective  
30 immediately upon filing or on a later effective date  
31 specified in the rules, unless the effective date is  
32 delayed by the administrative rules review committee.  
33 Any rules adopted in accordance with this subsection  
34 shall not take effect before the rules are reviewed  
35 by the administrative rules review committee. The  
36 delay authority provided to the administrative rules  
37 review committee under section 17A.4, subsection 7, and  
38 section 17A.8, subsection 9, shall be applicable to a  
39 delay imposed under this subsection, notwithstanding a  
40 provision in those sections making them inapplicable  
41 to section 17A.5, subsection 2, paragraph "b". Any  
42 rules adopted in accordance with the provisions of  
43 this subsection shall also be published as notice of  
44 intended action as provided in section 17A.4.>>

45 2. Page 8, by striking lines 25 through 34 and  
46 inserting:

47 <b. (1) The director of human services shall  
48 exempt a county from being required to enter into  
49 a regional service system if the county furnishes  
50 evidence that the county complies with the requirements

1 in subsection 3, paragraphs "d", "e", "f", and "g", and  
2 is able to provide the core services required by law  
3 to the county's residents in a manner that is as cost  
4 effective and with outcomes that are at least equal to  
5 what could be provided to the residents if the county  
6 would provide the services through a regional service  
7 system. The director shall identify criteria for  
8 evaluating the evidence provided by counties applying  
9 for the exemption. The criteria identified shall be  
10 specified in rule adopted by the state commission.  
11 (2) To be considered for an exemption under  
12 subparagraph (1), a county must file a written  
13 statement of intent to apply for an exemption with the  
14 department on or before May 1, 2013, and the county's  
15 exemption application must be filed with the department  
16 on or before June 30, 2013. The director of human  
17 services shall issue a decision on the application  
18 within forty-five days of receiving the application.  
19 This subparagraph is repealed July 1, 2013.>  
20 3. Page 12, after line 15 by inserting:  
21 <\_\_. Page 34, after line 31 by inserting:  
22 <Sec. \_\_. EMERGENCY RULES. The mental health and  
23 disability services commission may adopt administrative  
24 rules under section 17A.4, subsection 3, and section  
25 17A.5, subsection 2, paragraph "b", to implement  
26 the provisions of this division of this Act enacting  
27 section 331.438B, that relate to criteria for  
28 evaluation of an application for an exemption from  
29 regionalization, and the rules shall become effective  
30 immediately upon filing or on a later effective date  
31 specified in the rules, unless the effective date is  
32 delayed by the administrative rules review committee.  
33 Any rules adopted in accordance with this section  
34 shall not take effect before the rules are reviewed  
35 by the administrative rules review committee. The  
36 delay authority provided to the administrative rules  
37 review committee under section 17A.4, subsection 7, and  
38 section 17A.8, subsection 9, shall be applicable to a  
39 delay imposed under this section, notwithstanding a  
40 provision in those sections making them inapplicable  
41 to section 17A.5, subsection 2, paragraph "b". Any  
42 rules adopted in accordance with the provisions of this  
43 section shall also be published as notice of intended  
44 action as provided in section 17A.4.>>  
45 4. By renumbering as necessary.

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